House of Representatives

General Assembly

File No. 268

February Session, 2010

Substitute House Bill No. 5033

House of Representatives, April 1, 2010

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT REQUIRING SCHOOL BUSES TO BE EQUIPPED WITH SEAT SAFETY BELTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (c) of section 14-275 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(c) Each school bus shall be equipped with special automatic, electrically-operated flashing stop signals, which shall be independent and separate from the braking, stop and tail lights of standard equipment. Such flashing lights may include automatic traffic signalling devices showing red and amber lights and shall be so located that adequate warning will be afforded to both oncoming and overtaking traffic, except that each school bus manufactured on and after October 1, 1984, and registered for use in this state shall be equipped with an eight-light warning system, showing two red flashing stop signals and two amber flashing warning signals on the front and rear of the bus, and a stop semaphore. The commissioner

may adopt standards for an eight-light warning system and standards and specifications for the construction of school buses and for equipment to be maintained on school buses consistent with the provisions of sections 14-275 to 14-281, inclusive. Both public and private owners of school buses shall maintain a record of such kinds of repairs made to such buses as the commissioner may require and such work record shall be available at all times to the commissioner and the commissioner's designated assistants. All such maintenance records shall be retained for a period of two years. Each school bus shall be equipped with emergency lighting equipment as provided by section 14-97a, with a defrosting device as provided by section 14-97, with a system of mirrors as provided in the Code of Federal Regulations Title 49, Section 571.111, as amended, or with an outside mirror as provided by section 14-99 and a system of crossover mirrors designed and mounted so as to give the driver a view of the road from the front bumper forward to a point where direct observation is possible and along the left and right sides of the bus, with a signalling device as provided by section 14-101, and with chain nonskid devices for immediate use on at least one outside or inside rear tire on each side or tires designed to prevent skidding on all rear wheels when weather and highway conditions require such use. Commencing February 1, 1974, each new school bus with a vehicle air brake system shall be so equipped that the brake system is operated from a separate air reservoir tank other than the air reservoir tank used to operate any other compressed air or vacuum operated devices with which the school bus may be equipped. The seating requirements of section 14-273 shall be observed. Notwithstanding the provisions of section 14-98, school buses may be equipped with tires incorporating a metal nonskid device during the period from October fifteenth to April thirtieth, inclusive. Each school bus that is model year 2007 or newer shall be equipped with a crossing control arm mounted on the right end of the front bumper. The commissioner shall establish additional standards and requirements for such devices in regulations adopted in accordance with the provisions of chapter 54. Each school bus that is model year 2012 or newer shall be equipped with lap/shoulder (3-

point) seat safety belts.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2010*	14-275(c)

TRA *Joint Favorable Subst.*

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	Over the Next Twelve Years $
State Technical High Schools	GF - Cost	690,000 - 1.5 million[1]
Education, Dept.	GF - Cost	See Below

Agency Affected	Fund-Effect	FY 11 $	FY 12 $
Department of Motor Vehicles	TF - Cost	65,329	65,329
Department of Motor Vehicles	TF - One-time	17,050	None

Note: GF=General Fund TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	Over the Next Twelve Years $
Local and Regional School Districts	STATE MANDATE - Cost	48.5 million - 106.6 million[1]

Explanation

The bill requires that school buses be equipped with lap/shoulder, or 3-point seat belts starting with the 2012 model year. The bill results in significant costs to local and regional boards of education and the technical high school system, over the course of replacing the entire state fleet of large school buses, which is anticipated to be approximately twelve years[2].

The bill only applies to large school buses, as the National Highway Traffic Safety Administration (NHTSA) already requires seat belts on

[1] Cost does not include capacity costs; see Table 1 below for a description of capacity costs.

[2] Sources indicate that the average replacement cycle of an average school bus is approximately twelve years.

small school buses. There are approximately 6,553 large school buses registered with the Department of Motor Vehicles (DMV), 92 of which are operated by the technical high school system. It is anticipated that starting at the end of FY 11 and continuing, through 2023, local and regional boards of education, and the technical high school system will begin the process of replacing older buses with the 2012, or newer models, which would include lap/shoulder, or 3 point seat belts. There are three cost components associated with purchasing new buses with lap/shoulder, or 3 point, seat belts: (1) equipment costs, (2) maintenance costs, and (3) capacity costs.

Table 1 below provides a summary of the cost components on requiring lap/shoulder, or 3 point seat belts on large school buses.

Table 1

	Equipment Costs ($) Over the 12 years of replacing the state fleet	**Maintenance Costs ($)** Will vary annually based on the number of buses replaced	**Capacity Costs ($)** Per bus
Technical High School System	644,000-1.5 million	Up to 46,000	82,000-116,000
Local and Regional Boards of Education	45.2 million-103.4 million	Up to 3.2 million	82,000-116,000

Cost Components:

Equipment Costs

It is anticipated that purchasing a new, large school bus, with lap/shoulder, or 3 point seat belts costs between $7,000 and $16,000 more than a new bus without seat belts[3]. This results in an increased cost to the technical high school system of approximately $644,000 - $1.5 million and an increased cost to local and regional boards of education of approximately $45.3 million - $103.4 million over the

[3] On average a new school bus without lap/shoulder, or 3 point seat belts costs between $75,000 and $100,000.

twelve year period of replacing the entire state fleet of large school buses.

Maintenance Costs

It is anticipated that large school buses with lap/shoulder, or 3 point seat belts costs up to an additional $500 annually, to maintain. The increased maintenance costs are associated with repairing and replacing damaged belts and latch systems. This results in an increased cost to the technical high school system of up to $46,000 annually and $3.2 million to local and regional boards of education. The increased costs will vary, annually, depending on how many new buses have been replaced. Once the entire state fleet has been replaced the increased annual maintenance costs could be up to $3.2 million.

Capacity Costs

Each new, large school bus equipped with lap/shoulder, or 3 point seat belts has less capacity than large school buses without seat belts. On average, a new bus with seat belts holds up to twelve fewer middle school students than a bus without seat belts. To the extent that local and regional boards of education and the technical high school system have capacity issues, the schools could either be forced to run extra bus routes or buy additional school buses to make up for the difference in capacity. On average, a new school bus with lap/shoulder, or 3 point seat belts costs between $82,000 and $116,000.

Department of Motor Vehicle Inspections

The Department of Motor Vehicles (DMV) will incur an ongoing cost of $65,329 for one additional inspector and a one-time cost of $17,050 in FY 11 to comply with the provisions of the bill. The ongoing costs include: (1) one Motor Vehicle Inspector (PS 11 Step 1) with an annual salary of $50,466 plus fringes[4], and $14,863 for motor vehicle

[4] The estimated non-pension fringe benefit rate as a percentage of payroll is 26.66% which includes health insurance, social security, Medicare, life insurance, and unemployment compensation. Fringe benefit costs for new positions do not include

rental, fuel, telecommunication, software and uniform. There is also a one-time cost of $17,050 for motor vehicle equipment and painting. DMV currently has 8 Motor Vehicle Inspectors performing such inspections.

Student transportation vehicles, including school buses, activity vehicles, vans, livery and camp vehicles, are subject to annual inspections before the start of the new school year. The latest data provided by DMV indicates that there are 7,113 school buses currently registered. Of that amount, 6,553 are Type 1 (10,000 pounds or more) and 860 are Type 2 (less than 10,000 pounds).

Impact on the Transportation of School Children State Grant

Local and regional school district transportation costs are reimbursed by the state through the transportation of school children grant, in the year subsequent to the year in which the local expenditure occurred. The FY 10 appropriation for the grant is approximately $48.0 million. The transportation of school children grant is formulated using a wealth-based sliding scale. Currently, the state is reimbursing municipalities for approximately 26% of local eligible costs. Based on this percentage, a portion of the equipment, maintenance, and capacity costs referenced above could be eligible for a state grant, thus increasing costs for the state. However, for both FY 10 and FY 11 the transportation of school children grant was flat funded and capped at approximately 57% of full formula funding.

The Out Years

The annualized ongoing fiscal impact identified above would continue through 2023, or until the entire state fleet of large school buses is replaced, except for the maintenance costs, additional costs of bus routes, and the increase to the state grant, which will continue into the future, subject to the rate of inflation, or an increase to the appropriation. The out year impact to DMV is a one-time cost of

pension costs as new positions will not impact the state's pension contribution until FY 12 after the next scheduled actuarial valuation.

$17,050 in FY 13 and an on going cost of $130,658 for an additional DMV Inspector.

Sources: *National Association of State Directors of Pupil Transportation Services, Institute for Transportation Research and Education at North Carolina State University, www.washingtonpost.com, The Connecticut School Transportation Association, www.edmunds.com*

OLR Bill Analysis

sHB 5033

AN ACT REQUIRING SCHOOL BUSES TO BE EQUIPPED WITH SEAT SAFETY BELTS.

SUMMARY:

This bill requires school buses to be equipped with lap/shoulder, or 3-point, seat belts, starting with the 2012 model year. Three-point seat belts consist of a lap belt, plus an adjustable sash that goes over the shoulder, made of one single continuous length of webbing.

EFFECTIVE DATE: October 1, 2010

BACKGROUND

Federal Requirements

National Highway Traffic Safety Administration (NHTSA) regulations require seat belts on school buses whose fully loaded weight is less than 10,000 pounds (small school buses) but do not require them on buses weighing 10,000 pounds or more (large school buses) (49 CFR 571.222). NHTSA leaves the decision on whether to require seat belts on large school buses to individual states.

In 2009, NHTSA upgraded its school bus seat belt requirements to require that small school buses have 3-point, rather than lap belts, and setting performance standards for 3-point belts voluntarily installed in large school buses. These requirements apply to buses manufactured on and after October 21, 2011.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute
Yea 29 Nay 7 (03/16/2010)